

**ZB# 06-40**

**Beverly Karas**

**45-2-12**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

*Granted 7-24-06*

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 45-2-12

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

THOMAS KARAS

CASE #(06-40)

**WHEREAS, Thomas Karas** , owner(s) of 39 Continental Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 15 ft. Front Yard Setback and; 10 ft. Side Yard Setback for proposed front porch and attached rear garage at 39 Continental Drive in an R-4 Zone (45-2-12)

**WHEREAS**, a public hearing was held on July 24, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties in an R-4 zone.
  - (b) In constructing the porch and garage, the applicant will not remove any trees or substantial vegetation.

- (c) In building the porch and garage the applicant will not build on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements
- (d) In building the porch and garage the applicant will not create the ponding or collection of water or divert the flow of water drainage.
- (e) With the porch and garage, the house will be similar in size and nature to other houses in the neighborhood.
- (f) The applicant seeks to locate a proposed garage that will be placed in the rear of the house in a space currently occupied by a concrete patio.
- (g) With the house and garage the house will not project closer to the road than other houses in the neighborhood.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

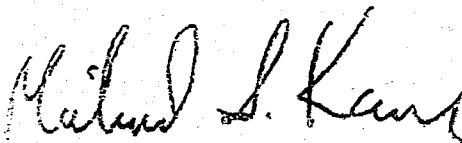
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 15 ft. Front Yard Setback and; 10 ft. Side Yard Setback for proposed front porch and attached rear garage at 39 Continental Drive in an R-4 Zone (45-2-12) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: July 24, 2006

A handwritten signature in cursive script, reading "Michael S. Kane". The signature is written in dark ink and is positioned above a horizontal line.

Chairman

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE: January 26, 2006**

**APPLICANT: Thomas A. Karas  
39 Continental Drive  
New Windsor, NY 12553**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 1/24/06**

**FOR : Proposed 8x24 ft. front deck/16 x 24 GARAGE**

**LOCATED AT: 39 Continental Drive**


**ZONE: R-4 Sec/Blk/ Lot: 45-2-12**

**COPY**

**DESCRIPTION OF EXISTING SITE: One family house**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. Proposed front porch will not meet minimum 45' front yard set-back.**
- 2. Proposed attached rear garage will not meet minimum 20' side yard set-back.**

  
**BUILDING INSPECTOR**

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-4    USE:    Bulk Tables	6-E, 6-F		
MIN LOT AREA:			
MIN LOT WIDTH:			
REQ'D FRONT YD:	45'	30'	15'
REQ'D SIDE YD:	20'	10'	10'
REQ'D TOTAL SIDE TD:			
REQ'D REAR YD:			
REQ'D FRONTAGE:			
MAX BLDG HT:			
FLOOR AREA RATIO:			
MIN LIVABLE AREA:			
DEV COVERAGE:			

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

**COPY**

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED

JAN 24 2006

FOR OFFICE USE ONLY:  
Building Permit #: 2006-57

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Beverly Karas

Address

39 Continental Dr

Phone #

565-4518

Mailing Address

Same

Fax #

Name of Architect

Taconic Design

Address

Gardnerstown Rd. Newburgh

Phone

569-8400

Name of Contractor

RFP Construction



Address 20 Lakeview Trail, Salisbury Mills Phone 845-222-6358

State whether applicant is owner, lessee, agent, architect, engineer or builder

Builder

If applicant is a corporation, signature of duly authorized officer.

Ray Paulini Pres.  
(Name and title of corporate officer)

1. On what street is property located? On the East side of Continental  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N ✓

3. Tax Map Description: Section 45 Block 2 Lot 12

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy

Residential

b. Intended use and occupancy

New 16' x 22' Garage  
New 24' x 8'

front porch

5. Nature of work (check if applicable)

☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot?

No

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Totals \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_

Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost

\$35,000.00

Fee

\$50-

Frank

**PAID** ZONING BOARD

date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Baheok  
Asst. Inspectors: Frank Liel & Louis Krysheer  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4818  
(845) 563-4885 FAX

Blgd Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

(Owner's Signature)

(Owner's Address)

**PLOT PLAN**

**NOTE:**

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

**N**

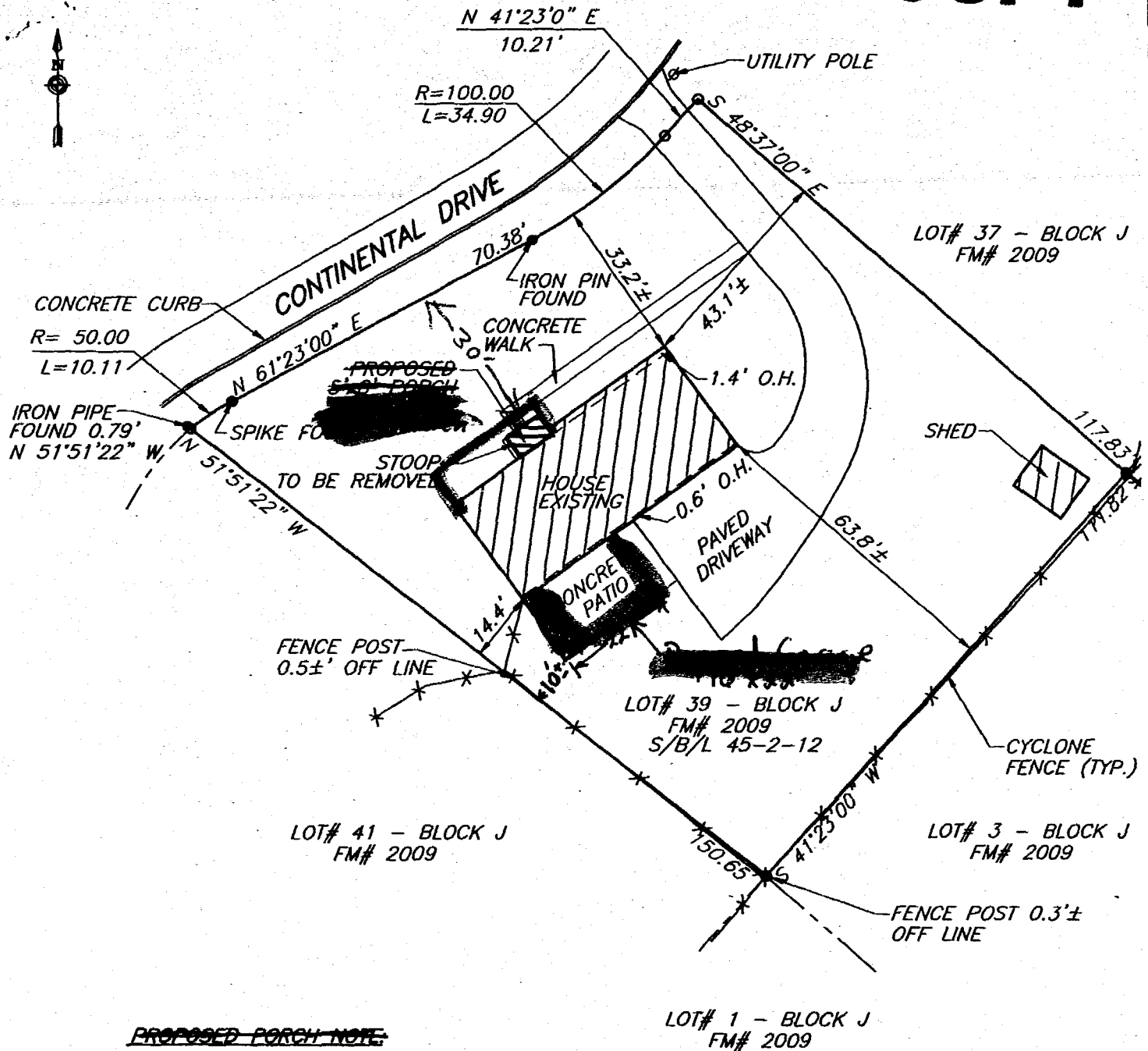
**W**

**E**

**S**

CROSS STREET

# COPY

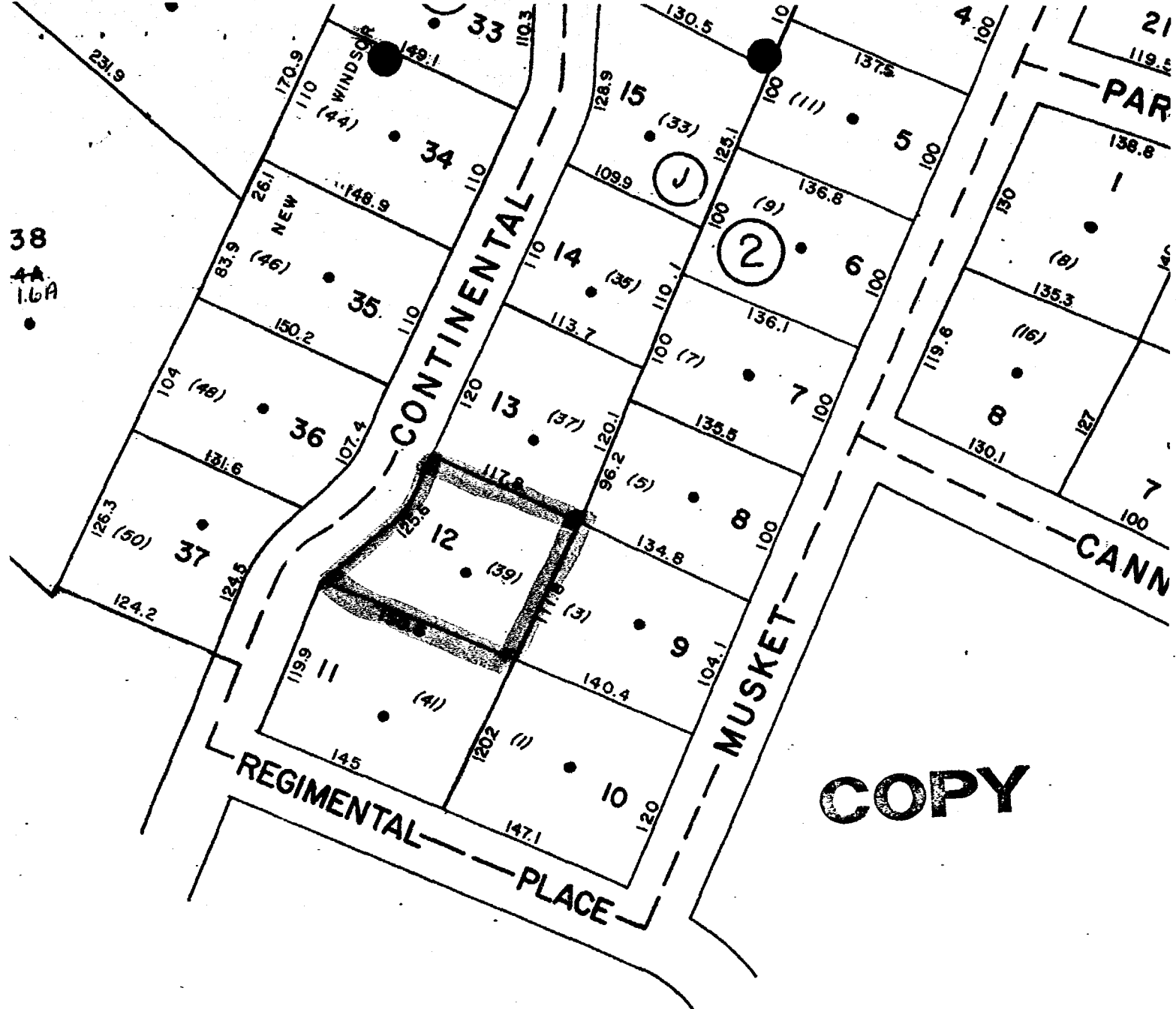


**PROPOSED PORCH NOTE:**  
~~PROPOSED 5'x8' PORCH TO REPLACE EXISTING~~  
~~STOOP AND WILL REMAIN WITHIN EXISTING FOOTPRINT.~~

1"=30'

## CALL BEFORE YOU DIG... IT'S THE LAW

WHETHER YOU'RE LAYING A FOUNDATION FOR A BUILDING OR PLANTING A TREE, YOU MUST FIRST CHECK FOR THE EXISTENCE OF UNDERGROUND UTILITY LINES AND CABLES. IF YOU OR YOUR CONTRACTOR DISRUPT ANY OF THESE LINES, THE RESULTS CAN BE DANGEROUS - AND COSTLY- TO EVERYONE. CALL BEFORE YOU DIG, TOLL FREE, 1 800 272-4480 (IN NEW YORK CITY AND LONG ISLAND) OR 1 800 926-7962 (IN ALL OTHER AREAS OF THE STATE.)



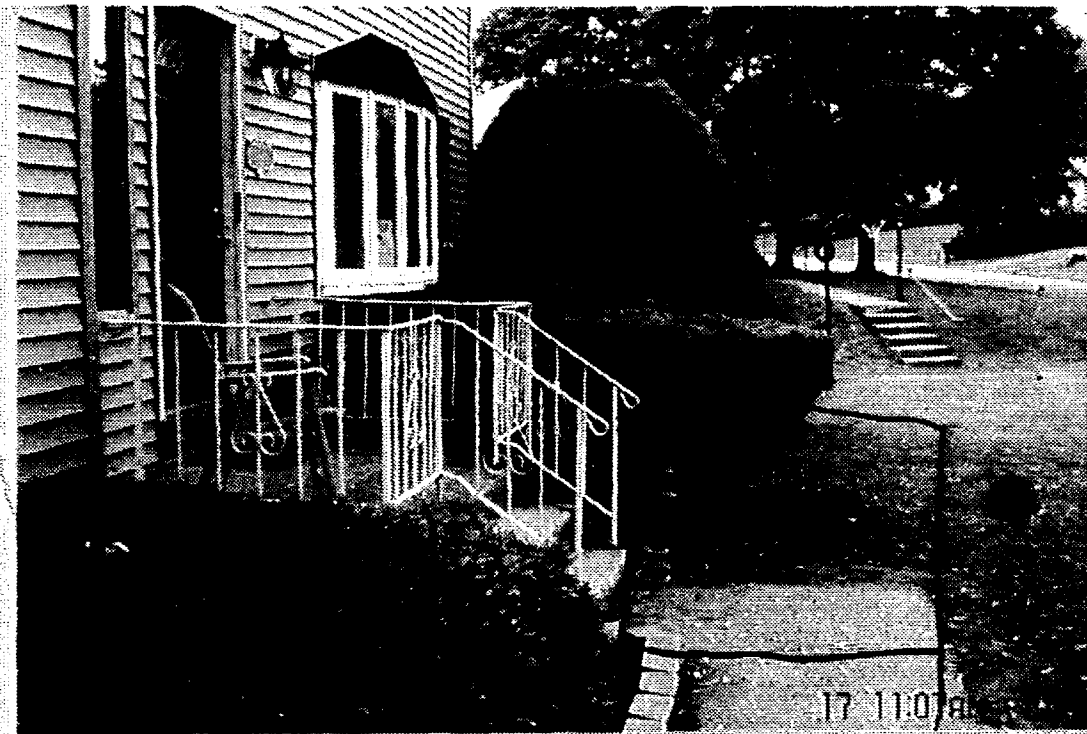
**COPY**

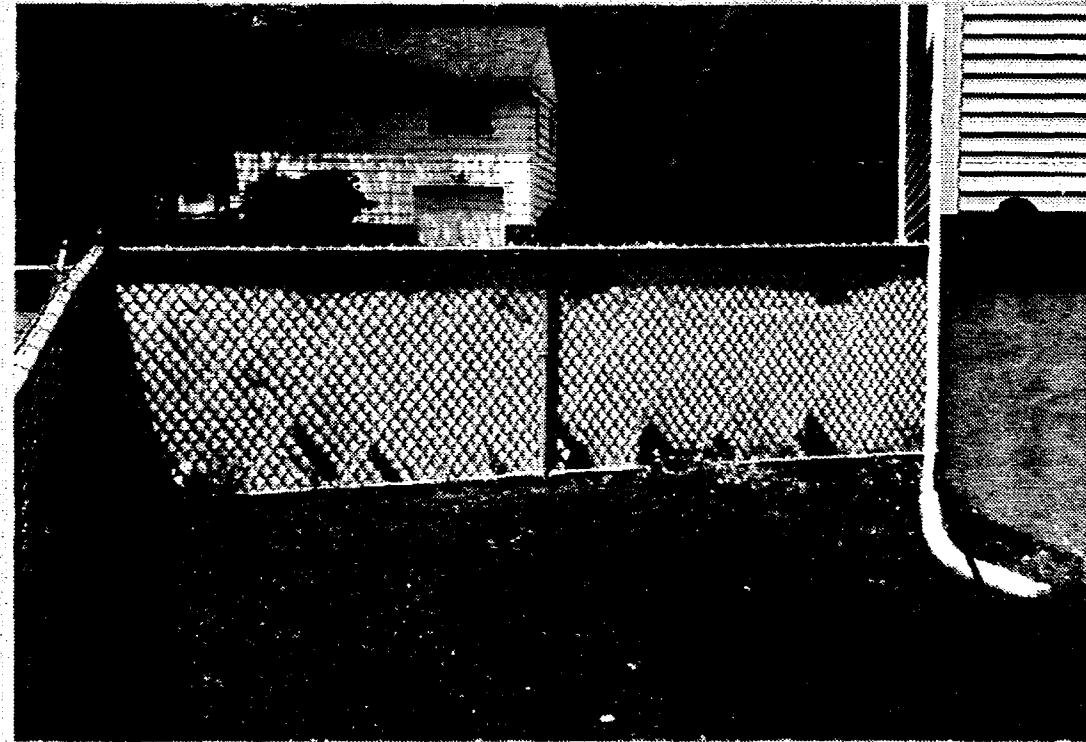
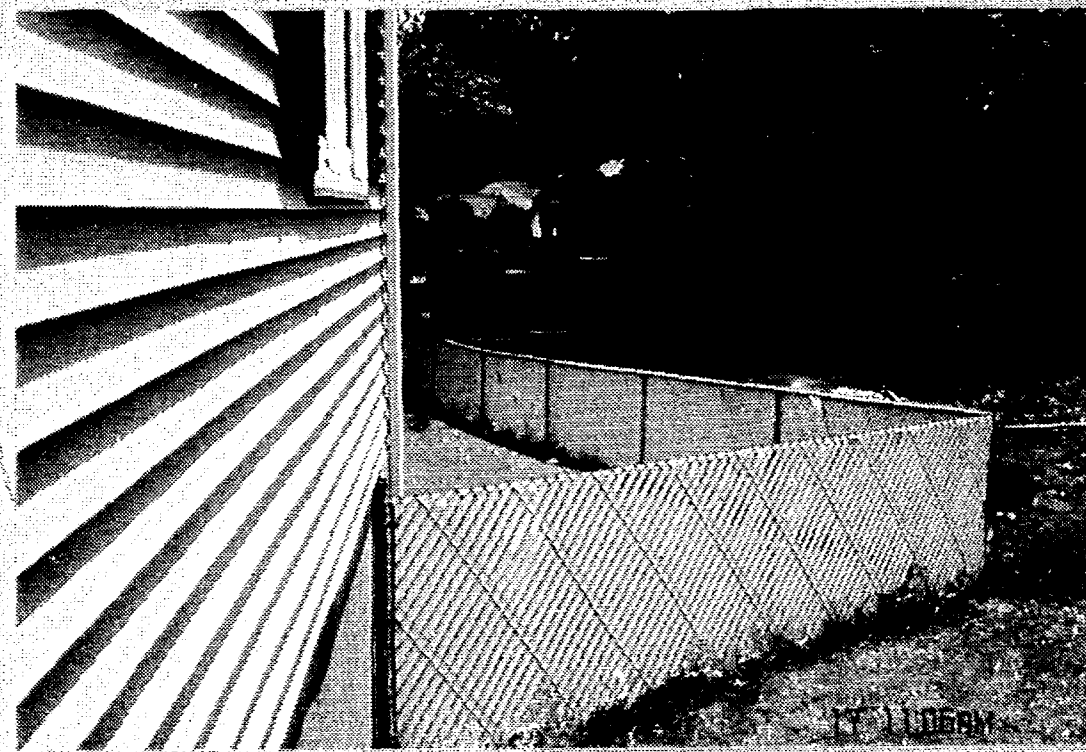
**SECTION**

# **LEGEND**

TAX MAP BLOCK NO.	(4)	FILED PLAN BLOCK NO.	(2) (4)
TAX MAP PARCEL NO.	32	FILED PLAN LOT NO.	(3)
AREAS (DEED) 11.1A (CALCULATED) 11.6A(C)		STATE HIGHWAYS	N Y STATE HWY NO 17
DIMENSIONS (DEED) 66 (CALCULATED) 75S		COUNTY HIGHWAYS	COUNTY ROAD NO 4
PORTION OF TAX LOT	P/O 1-1-1	TOWN ROADS	TOWN ROAD 1

NOT TO BE REPRODUCED FOR COMMERCIAL PURPOSES  
 FOR TAX PURPOSES ONLY  
 NOT TO BE USED FOR CONVEYANCE











**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: OCTOBER 24, 2006**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 162.10 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #06-40**

**NAME & ADDRESS:**

**Beverly Karas  
39 Continental Drive  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.10-24-06**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #06-40      TYPE: AREA      TELEPHONE: 565-4518

**APPLICANT:**

Beverly Karas  
39 Continental Drive  
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>114</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 1112



<u>DISBURSEMENTS:</u>		<u>MINUTES</u>	<u>ATTORNEY</u>
		<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: 07-14-06      \$ 11.90

TOTAL:      \$ 67.90      \$ 70.00



ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 137.90

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 162.10

Cc:

L.R. 10-24-06

JULY 24, 2006

PUBLIC HEARING - THOMAS KARAS

MR. KANE: The next public hearing Thomas Karas request for a 15-foot front yard setback 10-foot side yard setback for proposed front porch and attached rear garage at 39 Continental Drive in an R-4 Zone. Just like your preliminary meeting tell us what you want to do. Just speak loudly enough for that young lady.

MS. IRWIN: Beverly Irwin and we'd like to add a garage onto the back of the house and a porch on the front to enhance the front of the house. And we have expanded our family to add another garage.

MR. KANE: Let's take them one at a time. As far as the front porch, cutting down any trees, substantial vegetation and in the building of porch.

MS. IRWIN: No, just some shrubbery we have in the front of the house.

MR. KANE: Creating any water hazard or runoff?

MS. IRWIN: No.

MR. KANE: It's going to be a covered front porch?

MR. IRWIN: Yes.

MS. IRWIN: Yes.

MR. KANE: That's going to take the place of the cement stairs in the front of house?

MS. IRWIN: Yes.

MR. KANE: Is the deck in the front going to make the home extend closer to the road than other homes on your block?

MS. IRWIN: No.

JULY 24, 2006

14

MR. IRWIN: No.

MR. KANE: Any questions from the Board?

MR. LUNDSTROM: Are there other homes in your area that have a porch similar to that?

MR. IRWIN: Yes.

MR. KANE: Any easements through the area where the front porch is going to go?

MR. IRWIN: No. Jeffrey Irwin.

MS. IRWIN: Do you need why the change?

MR. KANE: No. As far as the proposed garage that's going to go in the rear of the house it's going to be placed where you have a concrete patio at this time?

MS. IRWIN: Yes.

MR. KANE: Again, creating any water hazard or runoffs with the building of the garage?

MS. IRWIN: No.

MR. KANE: Will you be cutting down any trees of substantial vegetation growing through the concrete?

MS. IRWIN: No.

MR. KANE: I have to ask that question anyway, any easements running through that area?

MR. IRWIN: No.

MS. IRWIN: No.

MR. LUNDSTROM: Just for the record the size of the garage is going to be the same size footprint as the concrete patio?

MR. IRWIN: I think it extends just a foot or just passed to even out with the back, the side of the house.

MR. LUNDSTROM: The drawings we have show a 16 by 22-foot concrete patio and proposed garage is saying 16-foot by 22-foot. You're saying that's not correct or?

MR. IRWIN: I can't remember where it ends. The garage is right to the side of the house.

MS. IRWIN: But the variance didn't allow the garage to be flush with the house, that's why we're asking for the variance.

MR. KANE: It's a two car garage?

MS. IRWIN: No, one.

MR. KANE: One car?

MR. LUNDSTROM: Currently there is no garage on the property?

MS. IRWIN: It's under the house. We have a two car garage under the house and this will be the third with the deck on top.

MR. KANE: And the garage is going to be located behind the house and the driveway will pull around the side and pull straight up underneath or straight into the new garage?

MS. IRWIN: Yes.

MR. KANE: Okay, I'll ask if there's anybody in the audience for this particular hearing? There's nobody here. We'll open and close the public portion of the meeting. I'll ask Myra how many mailings we had?

JULY 24, 2006

MS. MASON: On July 11th I mailed out 60 envelopes and had no response.

MR. KANE: Any further questions from the Board?  
I'll accept a motion.

MS. LOCEY: Do you want two separate motions?

MR. KANE: No, you can cover it under one requested variance.

MS. LOCEY: I'll offer a motion to grant the requested variances on the application of Thomas Karas as presented at the Zoning Board of Appeals meeting on July 24th.

MR. TORPEY: I'll second that.

MR. KANE: Roll call.

ROLL CALL

MS. LOCEY: Aye.  
MR. TORPEY: Aye.  
MR. LUNDSTROM: Aye.  
MR. KANE: Aye.



# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

## Invoice

Date	Invoice #
7/17/2006	8000

### Bill To

TOWN OF NEW WINDSOR  
555 UNION AVE  
NEW WINDSOR, NY 12553

**RECEIVED**  
JUL 27 2006  
TOWN OF NEW WINDSOR  
COMPTROLLER'S OFFICE

P.O. No.	Terms	Project
45660	Due on receipt	

Issue Date	Description	PCS/Units	Amount
7/14/2006	LEGAL ADS: APPEAL NO 06-40	7.90	7.90
	1 AFFIDAVIT	4.00	4.00
<b>Total</b>			\$11.90

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845)  
562-1218



**PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**  
 PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:  
 Appeal No. 06-40  
 Request of THOMAS KARAS  
 for a VARIANCE of the Zoning Local Law to Permit:  
 Request for 15 ft. Front Yard Setback and; 10 ft. Side Yard Setback for proposed front porch and attached rear garage at 39 Continental Drive in an R-4 Zone (45-2-12)  
 PUBLIC HEARING will take place on JULY 24, 2006 at the New Windsor Town Hall, 565 Union Avenue, New Windsor, New York beginning at 7:30 P.M.  
 Michael Kane, Chairman

State of New York  
 County of Orange, ss:  
 Patricia Quill being duly  
 sworn disposes and says that she is The  
 Supervisor of Legal Dept. of the E.W. Smith  
 Publishing Company; Inc. Publisher of The  
 Sentinel, a weekly newspaper published and  
 of general circulation in the Town of New  
 Windsor, Town of Newburgh and City of  
 Newburgh and that the notice of which the  
 annexed is a true copy was published 1X  
 in said newspaper, commencing on  
 the 14 day of July A.D., 2006  
 and ending on the 14 day of July  
 A.D. 2006

*Patricia Quill*

Subscribed and shown to before me  
 this 21 day of July, 2006 \_\_\_\_\_.

*Cheryl L. Canfield*

Notary Public of the State of New York  
 County of Orange

CHERYL L. CANFIELD  
 Notary Public, State of New York  
 Qualified in Orange County  
 #01CA6073319  
 Commission Expires April 22, 2010

My commission expires \_\_\_\_\_



RESULTS OF Z.B.A. MEETING OF: July 4, 2006

PROJECT: Beverly Karas ZBA # 06-40  
P.B.#

**P.B.#** \_\_\_\_\_

**USE VARIANCE:**      **NEED: EAF** \_\_\_\_ **PROXY** \_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**PUBLIC HEARING: M)\_\_\_\_\_ S)\_\_\_\_\_ VOTE: A\_\_\_\_\_ N\_\_\_\_\_**

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**APPROVED: M)\_\_\_\_\_S)\_\_\_\_\_ VOTE: A\_\_\_\_\_N\_\_\_\_\_**

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_

GANN  
LUNDSTROM  
LOCEY  
TORPEY  
KANE

CARRIED: Y\_\_\_\_\_ N\_\_\_\_\_

**PUBLIC HEARING:** **STATEMENT OF MAILING READ INTO MINUTES**  
**VARIANCE APPROVED:** **M) 10 S) 1 VOTE: A 4 N 0.**

GANN	A
LUNDSTROM	A
LOCEY	A
TORPEY	A
KANE	A

**CARRIED: Y ✓ N   .**

[illegible]

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

THOMAS KARAS

#06-40

## X

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF ORANGE )

**MYRA L. MASON, being duly sworn, deposes and says:**


That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 11TH day of JULY, 2006, I compared the 60 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

20<sup>th</sup> day of July, 2006

  
Notary Public

**JENNIFER MEAD**  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified in Orange County  
Commission Expires 10/30/2006

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

**Appeal No. 06-40**

**Request of THOMAS KARAS**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 15 ft. Front Yard Setback and; 10 ft. Side Yard Setback for proposed front porch and attached rear garage at 39 Continental Drive in an R-4 Zone (45-2-12)**

**PUBLIC HEARING will take place on JULY 24, 2006  
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York  
beginning at 7:30 P.M.**

  
\_\_\_\_\_  
Michael Kane, Chairman

June 26, 2006

9

THOMAS\_KARAS\_(06-40)

MR. KANE: Request for 15 ft. front yard setback and 10 ft. side yard setback for proposed front porch and attached rear garage at 39 continental Drive.

Mr. and Mrs. Thomas Karas appeared before the board for this proposal.

MR. KANE: Tell us what you want to do.

MRS. KARAS: Well, we want to build a porch on the front of the house and also build a third car garage on the rear of the house. But the way is zoning is the garage will not be flush with the end of the house so that's why we're asking for the variance so that the garage can be built flush with the back of the house.

MR. KANE: The garage is going to go onto the concrete patio that's existing right there now?

MR. KARAS: Yes and there will be a deck on top of the garage.

MR. KANE: Naturally your driveway, let it show you that the driveway's leading up to a concrete patio where the proposed deck is supposed to go to, so the garage itself, cutting down any trees or substantial vegetation in the building of the garage?

MRS. KARAS: There's nothing there.

MR. KANE: Some questions I have to ask even though it's obvious. Create any water hazards or runoffs?

MR. KARAS: No.

MR. KANE: Any easements running through that area?

MR. KARAS: Not that I know of.

MR. KANE: That we'll need to know for sure with a solid answer for the public hearing but we'll know anyway.

MR. BABCOCK: I have a copy of the survey, shows no easements.

MR. KARAS: Cause we had the survey just recently.

MR. KANE: So the garage is going to be a one story garage with a deck on top of it?

MR. KARAS: Yes.

MS. GANN: Just curious what you're using the deck for on the top, just to lead out from the house?

MR. KARAS: Leading out from the main floor of the house.

MR. KRIEGER: It will be next to a sliding glass door in the house so you'd lead from the house?

MR. KARAS: Right.

MR. KRIEGER: Onto the deck?

MR. KARAS: Right.

MR. KRIEGER: If there were nothing there a person exiting the door would fall down and likely sustain serious physical injury?

MRS. KARAS: Right, we don't have a door now though.

MR. KRIEGER: You will.

MRS. KARAS: Absolutely.

MR. LUNDSTROM: Steps leading from the deck down to the ground?

MRS. KARAS: Yes.

MR. KANE: The deck that's replacing the front porch 24 by 8 from the corner to the door?

MR. KARAS: There's a little jut that comes right here by the house, it will go right up to that.

MR. KANE: Will the addition of that deck make the front of your house extend further than the front of the other homes on your street, if you follow what I'm getting at?

MR. KRIEGER: Closer to the road.

MR. KARAS: Might make it a little but there are decks that jut out from the houses down the street.

MR. KANE: Overall you're basically you think you're the same as everybody else with the addition and the new deck?

MR. KARAS: Yes.

MR. KANE: Again, cutting down any trees, substantial vegetation in the building of the deck in the front of the house?

MRS. KARAS: Just this bush right here.

MR. KANE: Creating water hazards or runoffs?

MR. KARAS: Actually fix the water.

MRS. KARAS: It will fix the water issue.

MR. KANE: Any further questions? I'll accept a

June 26, 2006

12

motion.

MS. GANN: I will offer a motion that we set up Thomas Karas for public hearing for his request for 15 foot front yard setback and 10 foot side yard setback for proposed front porch and attached rear deck at 39 Continental Drive in an R-4 zone.

MR. LUNDSTROM: Garage.

MS. GANN: Rear garage.

MR. LUNDSTROM: Second it.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MR. KANE: Let the record show that should be under Beverly Karas instead of Thomas. You're all set.





June 26, 2006

Beverly Karn

06-40

**P.B.#**

**USE VARIANCE:**

**NEED: EAF**

## PROXY

LEAD AGENCY: M) S) VOTE: A N

GANN  
LUNDSTROM  
LOCEY  
TORPEY  
KANE

CARRIED: Y N

**PUBLIC HEARING: M)\_\_\_\_\_S)\_\_\_\_\_ VOTE: A\_\_\_\_\_N\_\_\_\_\_**

GANN  
LUNDSTROM  
LOCEY  
TORPEY  
KANE

CARRIED: Y      N

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A      N

GANN  
LUNDSTROM  
LOCEY  
TORPEY  
KANE

CARRIED: Y N

**APPROVED:** M)        S)        VOTE: A        N       

GANN  
LUNDSTROM  
LOCEY  
TORPEY  
KANE

CARRIED: Y N

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:**

M) G S) L

VOTE: A 4 N 0

**GANN**

**LUNDSTROM**

~~EDWARD~~  
~~EDWARD~~  
TORPEY  
KANE

CARRIED: Y ✓ N       

**PUBLIC HEARING:**

## STATEMENT OF MAILING READ INTO MINUTES

**VARIANCE APPROVED:**

**M) S) VOTE: A N .**

## GANN

**LUNDSTROM**

**LOCEY**

TORPEY

**KANE**

**CARRIED: Y N**

[illegible]



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

J. Todd Wiley, IAO  
**Assessor's Office**

June 23, 2006

Beverly Karas  
39 Continental Drive  
New Windsor, NY 12553

Re; 45-2-12 ZBA#06-40 (60)

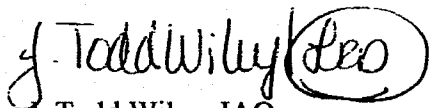
Dear Ms. Karas:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the amount of \$50.00 to the Town Clerk's Office.

Sincerely,

  
J. Todd Wiley, IAO  
Sole Assessor

JTW/lrd  
Attachments

~~CC: Myra Mason, Zoning Board~~

35-1-59.21

Route 32 NW Realty, LLC  
Kentucky & Long John Food Corp.  
PO Box 10150  
Newburgh, NY 12550

45-1-37

Anibal & Maria Balbuena  
50 Continental Drive  
New Windsor, NY 12553

45-2-9

Robert & Theresa Penney  
3 Musket Place  
New Windsor, NY 12553

35-1-60

Jesse & Margaret Deyo  
340 Windsor Highway  
New Windsor, NY 12553

45-1-38

Sherri Greenberg  
85 Terhune Avenue  
Passaic, NJ 07055

45-2-10

Vincenza Cullaro  
1 Regimental Place  
New Windsor, NY 12553

35-1-61

Newburgh Enlarged School District  
Attn: E. Phillips  
124 Grand Street  
Newburgh, NY 12550

45-1-40.1

Rottmeier Family Trust  
4699 South Atlantic Avenue  
Ponce Inlet, FL 32127-7003

45-2-11

Basil Komondarea  
41 Continental Drive  
New Windsor, NY 12553

35-1-102.1 & 45-1-39

Petro Metals, Inc.  
North Plank Development Co. LLC  
5020 Route 9W  
Newburgh, NY 12550

45-1-40.21

Planet Wings of New Windsor, Inc.  
24 Sunnyside Avenue  
Middletown, NY 10940

45-2-13

Diane Kennelly  
37 Continental Drive  
New Windsor, NY 12553

45-1-31

William & Christine Gegenheimer  
38 Continental Drive  
New Windsor, NY 12553

45-2-3

Charles Jr. & Kathy Hunter  
15 Musket Place  
New Windsor, NY 12553

45-2-14

John & Jean Roberts  
35 Continental Drive  
New Windsor, NY 12553

45-1-32

Javier & Norma Garcia  
40 Continental Drive  
New Windsor, NY 12553

45-2-4

Peter & Dolores Valentino  
13 Musket Place  
New Windsor, NY 12553

45-2-15

Steven Ponesse  
Dawn Marie Mulder  
33 Continental Drive  
New Windsor, NY 12553

45-1-33

Gerald & Deborah Wynters  
Herbert Milch  
42 Continental Drive  
New Windsor, NY 12553

45-2-5

James & Jennifer Mitru  
11 Musket Place  
New Windsor, NY 12553

45-2-16

Steven & Sheila DeCicco  
31 Continental Drive  
New Windsor, NY 12553

45-1-34

Thomas & Catherine Durkin  
44 Continental Drive  
New Windsor, NY 12553

45-2-6

Christopher & Jeannine Leggett  
9 Musket Place  
New Windsor, NY 12553

45-2-17

Edward & Lenore Smith  
29 Continental Drive  
New Windsor, NY 12553

45-1-35

Renee Kroun  
46 Continental Drive  
New Windsor, NY 12553

45-2-7

Rose Marvel  
Estelle Ryan  
7 Musket Place  
New Windsor, NY 12553

45-3-1

Donald & Karen Fassbender  
8 Musket Place  
New Windsor, NY 12553

45-1-36

Chien-Min & Yao-Ming Lu  
48 Continental Drive  
New Windsor, NY 12553

45-2-8

Ann Plass  
5 Musket Place  
New Windsor, NY 12553

45-3-2

Michael & Denise Kirk  
26 Parade Place  
New Windsor, NY 12553

45-3-6  
Kathy & Apostolos Amanatides  
12 Cannon Drive  
New Windsor, NY 12553

45-3-7  
Mildred Gatling  
14 Cannon Drive  
New Windsor, NY 12553

45-3-8  
Ronald Buckner  
Diane Wilkinson-Buckner  
16 Cannon Drive  
New Windsor, NY 12553

49-1-1.1  
CKN Mylonas, Inc.  
345 Windsor Highway  
New Windsor, NY 12553

49-1-1.2  
Dimitrios & Pope Mylonas  
C/o New Windsor Coach Diner  
351 Windsor Highway  
New Windsor, NY 12553

49-1-2  
Patricia Anne Willard  
52 Continental Drive  
New Windsor, NY 12553

49-1-3  
Lawrence DiGregorio  
Claudette Robertson  
54 Continental Drive  
New Windsor, NY 12553

49-1-4  
Bradford & Kyong Smith  
IMA KORO PWD  
APO AP 96204-0051  
South Korea

49-1-5  
Elizabeth Stafford  
58 Continental Drive  
New Windsor, NY 12553

49-1-6  
Ronald Fleischman  
60 Continental Drive  
New Windsor, NY 12553

49-1-27  
Reziero Vitolo  
87 Mill Street  
Wallkill, NY 12589

49-1-28  
Bank of New York  
Lease Servicing - 15 East  
101 Barclay Street  
New York, NY 10286

49-2-1  
David & Diana Kettner  
43 Continental Drive  
New Windsor, NY 12553

49-2-2  
Francis & Susan Sommerlad  
2 Regimental Place  
New Windsor, NY 12553

49-2-3  
John & Angela Parrino  
4 Regimental Place  
New Windsor, NY 12553

49-2-4  
Julio & Rachel Martinez  
6 Regimental Place  
New Windsor, NY 12553

49-2-5  
Itsia Slater  
8 Regimental Place  
New Windsor, NY 12553

49-2-11  
Anita Saltzman  
47 Continental Drive  
New Windsor, NY 12553

49-2-12  
Joseph & Patricia Kraiza  
45 Continental Drive  
New Windsor, NY 12553

49-3-1  
Vito & Katherine Guidice  
17 Cannon Drive  
New Windsor, NY 12553

49-3-2  
Raymond & Gloria Lopez  
11 Cannon Drive  
New Windsor, NY 12553

49-3-3  
Glenn Giametta  
20 Parade Place  
New Windsor, NY 12553

49-3-4  
George & Norma Weygant  
18 Parade Place  
New Windsor, NY 12553

49-4-5  
Richard Bogardus  
Beth Castaldo  
16 Parade Place  
New Windsor, NY 12553

49-3-6  
Teresa Kenan  
14 Parade Place  
New Windsor, NY 12553

49-3-7  
Bankers Trust Co. of California NA  
Trustee for Vendee Mortgage Trust 1999-2  
C/o Countrywide Home Loans SV 24  
400 Countrywide Way  
Simi Valley, CA 93065

49-3-18  
Thomas Caruso Jr.  
7 Regimental Place  
New Windsor, NY 12553

49-3-19  
Frances Fellner  
Frances Lego  
5 Regimental Place  
New Windsor, NY 12553

49-3-20  
Leonard & Alice Bauer  
PO Box 4320  
New Windsor, NY 12553

49-3-21  
Betty Lou Drake  
Cindy Lou Drake  
4 Musket Place  
New Windsor, NY 12553

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**  
**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 06-20-06

FOR: ESCROW 06-40

FROM:

**Beverly Karas**  
**39 Continental Drive**  
**New Windsor, NY 12553**

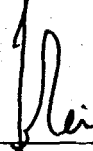
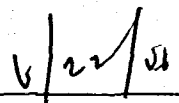
CHECK FROM:  
SAME

CHECK NUMBER: 1112

TELEPHONE: 565-4518

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

 _____ NAME	 _____ DATE
--	--

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#512-2006**

06/22/2006

Karas, Beverly *ZBA #06-40*

Received \$ 50.00 for Zoning Board Fees, on 06/22/2006. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

**TOWN OF NEW WINDSOR**  
**REQUEST FOR NOTIFICATION LIST**

CHECKED BY MYRA: 06-20-06 mm

DATE: 06-20-06 PROJECT NUMBER: ZBA# 06-40 P.B. # \_\_\_\_\_

APPLICANT NAME: BEVERLY KARAS

PERSON TO NOTIFY TO PICK UP LIST:

Beverly Karas  
39 Continental Drive  
New Windsor, NY 12553

TELEPHONE: 565-4518

TAX MAP NUMBER: SEC. 45 BLOCK 2 LOT 12  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_  
SEC. \_\_\_\_\_ B LOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: 39 CONTINENTAL DRIVE  
NEW WINDSOR, NY

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION \_\_\_\_\_  
(IS NOT PREPARED ON LABELS)

❖ ❖

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: \_\_\_\_\_

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) \_\_\_\_\_

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

AGRICULTURAL DISTRICT:  
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT) \_\_\_\_\_

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 115

TOTAL CHARGES: \_\_\_\_\_



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

June 20, 2006

Beverly Karas  
39 Continental Drive  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #06-40

Dear Ms. Karas:

This letter is to inform you that you have been placed on the June 26, 2006 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

39 Continental Drive  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

3-6-06

Date

Application Type: Use Variance ☐ Area Variance ☐  
Sign Variance ☐ Interpretation ☐

**I. Owner Information:**

Phone Number: (565) 4578

Beverly Karas

Fax Number: ( )

(Name)

39 Continental Dr., New Windsor

(Address)

**II. Applicant:**

Gene

Phone Number: ( )

(Name)

Fax Number: ( )

(Address)

**III. Forwarding Address, if any, for return of escrow:**

Phone Number: ( )

Fax Number: ( )

(Name)

(Address)

**IV. Contractor/Engineer/Architect/Surveyor/:**

Phone Number (845) 222-6358

Fax Number: (845) 897-9777

REP Ray Paolini  
Construction

(Name)

20 Lakeview Trail, Salisbury Mills, NY 12522

(Address)

**V. Property Information:**

Zone: R-4 Property Address in Question: 39 Continental Drive

Lot Size: \_\_\_\_\_ Tax Map Number: Section 45 Block 2 Lot 12

a. What other zones lie within 500 feet? \_\_\_\_\_

b. Is pending sale or lease subject to ZBA approval of this Application? No

c. When was property purchased by present owner? December 17, 1992

d. Has property been subdivided previously? No If so, When: \_\_\_\_\_

e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? No

f. Is there any outside storage at the property now or is any proposed? No

\*\*\*\*PLEASE NOTE:\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.	45'	30'	15'
Reqd. Side Yd.	20'	10'	10'
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

I would love to have a new covered porch on the front of my newly remodeled home. and also I need a third garage for my families vehicles and would like it to line up with the existing house.

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**



**TOWN OF NEW WINDSOR**  
555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



**ZONING BOARD PROCEDURES**

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO **"THE TOWN OF NEW WINDSOR"** AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE: \$ 50.00  
\*ESCROW: \$300.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

\*

**ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

### **NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

### **NOTE:**

**THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of area that variances is being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

8<sup>th</sup> day of March 2006.

Ramona A. Hall  
Signature and Stamp of Notary

Beverly S. Karas  
Owner's Signature (Notarized)  
Beverly S. Karas  
Owner's Name (Please Print)

\_\_\_\_\_  
Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF**

**SUBMITTANCE TO THE ZONING BOARD OF APPEALS OF NEW JERSEY**  
**Commission Expires 6/30/2009**

COMPLETE THIS PAGE ☐

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Beverly Karas, deposes and says that he resides  
(OWNER)  
at 39 Continental Dr. New Windsor in the County of Orange  
(OWNER'S ADDRESS)  
and State of New York and that he is the owner of property tax map  
(Sec. 45 Block 2 Lot 12)  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_) which is the premises described in  
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Raymond E. Proline 20 Lakeview Trail, Salisbury Mills N.Y.  
(Name & Address of Professional Representative of Owner and/or Applicant) 10577

to make the foregoing application as described therein.

Date: April 24, 2006

\*\* Beverly Karas  
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:  
24<sup>th</sup> day of April 2006

[Signature]  
Applicant's Signature (If different than owner)

Raymond A. Hall  
Signature and Stamp of Notary  
**RAYMOND A. HALL**  
**NOTARY PUBLIC OF NEW JERSEY**  
**Commission Expires 6/30/2009**

[Signature]  
Representative's Signature

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.**

**\*\* PLEASE NOTE:**  
**ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

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PROJECT I.D. NUMBER

617.21

SEQR

## Appendix C

State Environmental Quality Review  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
 For UNLISTED ACTIONS Only

**PART I—PROJECT INFORMATION** (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR/ <i>REP Construction</i>	2. PROJECT NAME <i>Karas addition</i>
3. PROJECT LOCATION: Municipality <i>Town of New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>39 Continental Dr.</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>14' x 22' Garage and 8' x 20' Front Covered porch.</i>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If No, describe briefly <i>Existing dwelling not in zoning allowed</i>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <i>Raymond Paulini</i> Date: <i>6-13-06</i> Signature: <i>[Signature]</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER



**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

- A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.  
☐ Yes ☒ No
- B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? If No, a negative declaration may be superseded by another involved agency.  
☐ Yes ☒ No
- C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
- C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
- C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
- C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
- C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
- C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
- C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
- C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly:
- D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
☐ Yes ☒ No If Yes, explain briefly

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from responsible officer)

\_\_\_\_\_  
Date